

9 May 1957

Mr. Roger W. Jones
Assistant Director for
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

I refer to a letter of 1 May 1957 from your office, requesting the comments of this Agency on proposed executive orders relating to the security and investigative requirements for civilian employment in sensitive and non-sensitive positions in the government.

Inasmuch as all regular positions in this agency have been determined to be sensitive under the standards of Executive Order 10450, and would continue to be so regarded under the standards proposed in Section 2 of the draft order, the comments below will refer only to the executive order relating to sensitive positions.

As you are aware, the Congress granted to the Director of Central Intelligence the statutory authority to terminate the employment of any employee of this agency when he deems such termination necessary or advisable in the interests of the United States. (Section 102(c) of the National Security Act of 1947). The Act further provides that all such terminations are subject to reviews by the Civil Service Commission in connection with possible employment elsewhere in the government. In view of the fact that Section 9 of the proposed executive order appears to recognize the existence of such special statutory authorities, nothing in the executive order would modify the authority in personnel matters referred to above. As an example, when proceeding in any case under the above statutory authority rather than under the Act of August 26, 1950, the Director would not be bound by the requirements of Section 11 concerning Security Hearing records.

11

Furthermore Section 102 (d)(3) of the "ational Security Act of 1947 places upon the Director of Central Intelligence the responsibility for the protection of intelligence sources and methods from unauthorized disclosure, and to assist him in this responsibility the Congress, to Section 7 of the Central Intelligence Agency Act of 1949, exempted this agency from the requirements of any law relating to the reporting of personnel information concerning employees of the Agency. Under these circumstances this agency would be forced to depart in accord particulars from the requirements of Section 8 of the proposed executive order.

Taking into account the reservations stated in this letter this agency has no objection to the proposed executive order on sensitive positions and agrees with the comments of the Civil Service Commission thereon.

Sincerely,

Allen W. Dulles
Director

Drafted By:
OGC/LSH & IG/LC:NSP:fm (7 May 57)

Cleared by:
Colonel Edwards, Director of Security

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